

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
August 14, 2006 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** H

**Location:** 2604-2608 East Wendover Avenue & 611-625 Waugh Street (Southwest quadrant of East Wendover Avenue and Waugh Street)

**Applicant:** Alan E. Ferguson

**Owner:** Walter M. Baynes, Thomas A. Baynes, Elizabeth O. Baynes & Kathy M. Baynes

**GFLUM**

**From:** Low Residential

**To:** Commercial

**Zoning**

**From:** RM-18

**To:** CD-GB

**Conditions:** 1) Any use requiring drive-through service or convenience stores with fuel pumps shall be prohibited.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Undeveloped
Acreage	2.754
Physical Characteristics	<i>Topography:</i> Rolling <i>Vegetation:</i> Wooded portions <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

<b>SURROUNDING ZONING AND LAND USE</b>		
<b>Location</b>	<b>Land Use</b>	<b>Zoning</b>
<i>North</i>	Rise n' Shine Childhood Development Center	RM-18
<i>South</i>	Undeveloped / Multifamily / Single Family Residential	RM-18
<i>East</i>	Hester's Daycare Center / Single Family Residential	RM-18
<i>West</i>	Wendover Manor Apartments / Undeveloped	RM-18

<b>ZONING HISTORY</b>		
<b>Case #</b>	<b>Year</b>	<b>Request Summary</b>
D321	1976	This property has been zoned RM-18 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 75. A request to rezone a 1.1 acre portion of this property to Commercial N was denied by the Zoning Commission in February 1976 and, upon appeal, denied by City Council in April 1976.

<b>DIFFERENCES BETWEEN RM-18 (EXISTING) AND CD-GB (PROPOSED) ZONING DISTRICTS</b>
<b>RM-18:</b> Primarily intended to accommodate multifamily uses at a density of 18.0 units per acre or less.
<b>GB:</b> Primarily intended to accommodate a wide range of retail, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks. See Conditions for use limitations.

<b>TRANSPORTATION</b>	
<b>Street Classification</b>	E. Wendover Avenue – Major Thoroughfare, Waugh Street – Local Street.
<b>Site Access</b>	All access points must meet City of Greensboro and NCDOT Standards.
<b>Traffic Counts</b>	E. Wendover Avenue ADT = 30,000.
<b>Trip Generation</b>	N/A.
<b>Sidewalks</b>	Sidewalks are a requirement of the Development Ordinance. 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types.
<b>Transit</b>	Yes.
<b>Traffic Impact Study</b>	Not required per TIS Ordinance.
<b>Street Connectivity</b>	N/A.
<b>Other</b>	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	No, site drains to North Buffalo Creek
<b>Floodplains</b>	N/A
<b>Streams</b>	Blue line stream runs parallel to the west property line, stream buffer will encroach on this site. 50' stream buffer is required on each side of the stream, stream buffer is measured from (whichever produces a greater buffer) top of stream bank, top of steep slope or edge of contiguous wetland. The restrictions are as follows, first 15' must remain undisturbed and next 35' built upon area up to 50% and no occupied structures are allowed.
<b>Other</b>	Channel requires DMUE (drainage maintenance and utility easement)

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
<i>North</i>	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
<i>South</i>	Type B Yard - 30' avg. width; 3 canopy/100'; 5 understory/100', 25 shrubs/100' Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100' Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
<i>East</i>	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100' Type B Yard - 30' avg. width; 3 canopy/100'; 5 understory/100', 25 shrubs/100'
<i>West</i>	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100' Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

POLICY 5F.2: Improve design standards for new development to enhance community appearance and sense of place (visual impacts on adjacent neighborhoods).

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

- Including protection against incompatible commercial encroachments into residential neighborhoods

**Connections 2025 Map Policies:**

*The area requested for rezoning lies within the following map classifications:*

**Existing:**

**Low Residential (3-5 d.u./acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

**Proposed:**

**Commercial:** This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
N/A		There have not been any map amendments in the immediate vicinity of this case.

**APPLICANT STATED REASONS FOR REQUEST****Explain in detail why the change is needed and a justification for such a change:**

The change is needed to accommodate a retail business. The best use of this portion of East Wendover seems to be retail.

**Explain in detail the conditions that you think may warrant a Plan Amendment** (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

The pattern of development on East Wendover appears to be retail. We believe new retail in this area will be of economic benefit to the surrounding neighborhood.

**COMPREHENSIVE PLAN ANALYSIS****Need for the Proposed Change:**

The applicant is requesting this change to build a retail establishment. This area is currently depicted as Low Residential on the Generalized Future Land Use Map which is predominantly single family detached dwellings, as well as other compatible housing types that can be accommodated within the density range.

The Commercial land use classification is not an appropriate classification for this area. The commercial designation is intended for large concentrations of commercial uses, such as major shopping centers and "big box" retail. The overall character of this area is not appropriate for large scale commercial uses. With the single family residential located to the south east of the property and the daycare centers directly to the east and north of the property, the area is more geared towards small neighborhood type services. Because of the context of this area, staff may be more inclined to support Limited Business or Neighborhood Business and the provision of local serving uses. Additionally, the Plan discourages stripping commercial along corridors and staff feels that the major node of commercial development at Summit Avenue and Bessemer Avenue is sufficient to serve this area.

Staff would like to see conditions added to this application to limit the more intense General Business uses.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):** None

**Implications, if any, the Amendment may have for Other Parts of the Plan:**

This could encourage other similar requests to continue east down Wendover Avenue, thus creating a strip commercial affect.

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):** None

## COMPREHENSIVE PLAN MONITORING COMMENTS

The Monitoring Committee met on Monday, August 31, 2006, and made the following comments concerning this request:

- Land is currently an eyesore and a new development would improve the area;
- It will become a spot of commercial surrounded by low residential; and
- Due to the wide variety of commercial uses permitted, it would be a good idea to limit some of the uses that can be built on the property and focus on uses that would be more neighborhood serving

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

## STAFF COMMENTS

**Planning:** The zoning for this section of the East Wendover Avenue corridor has remained relatively stable over the years. A request to rezone a 1.1-acre portion of the subject property fronting on East Wendover to commercial was denied by both the Zoning Commission and City

Council in 1976. Planning staff recommended denial of that rezoning proposal based on the potential for creating a precedent that would promote strip commercial development.

The most recent commercial rezoning in this area occurred in 1994 when the property on the north side of East Wendover between Raleigh Street and North English Street was approved by City Council for conditional Highway Business (#2423) with use limited to retail auto supply sales.

The properties surrounding this case are a mix of single family dwellings, apartment buildings, and a child care center. Given the range of uses associated with General Business zoning, Staff is concerned about neighborhood compatibility and pedestrian accessibility. In response to this, the applicant intends to add the following conditions:

- Uses: Limited to all uses permitted in the LB zoning district and Auto Supply Sales
- Interior pedestrian circulation between the principal building(s) and public streets shall be provided through the use of clearly defined walkways.
- Maximum of one double bay of parking shall be permitted between the principal building and street rights-of-way
- Building(s) shall be oriented toward street frontages.
- No structure shall exceed 2 above ground stories in height.
- Expanses of blank walls shall not exceed 30 feet in length without fenestration or architectural features.
- The exterior of all structures shall be constructed primarily of brick or masonry building materials.
- Freestanding signage shall be limited to monument type signage not to exceed 15 feet in height.
- Outside storage of vehicles or equipment shall be prohibited
- Exterior lighting fixtures shall be a maximum of 15 feet in height.

**GDOT:** No additional comments.

**Water Resources:** Possibility of wetlands. If any wetland disturbance and or stream crossing disturbance is proposed all the necessary approvals must be obtained from the State and the Corps of Engineers prior to any disturbance.

## **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the Commercial land use classification and approval of the rezoning to CD-GB Conditional District General Business primarily due to:

- The willingness of the applicant to address staff concerns about neighborhood compatibility and pedestrian access through the addition of the conditions listed above